



JAC
Zm

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>In re</i> application of:)	
)	Docket No. MXICP016
Topas CHANG et al.)	
)	Examiner: J. Gandhi
Application No. 10/775,595)	
)	Group Art Unit: 2125
Filed: February 9, 2004)	
)	Date: October 11, 2006
For: SYSTEM AND METHOD FOR)	
MONITORING WAFER FURNACE)	Confirmation No. 1768
PRODUCTION EFFICIENCY)	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 11, 2006.

Signed: _____

Diane Schwanbeck

PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Commissioner for Patents
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants have received a Notice of Abandonment dated August 15, 2006. The Notice of Abandonment states that the subject application is abandoned because of Applicants' failure to submit corrected drawings as required in the Notice of Allowability. As explained in more detail below, Applicants did in fact submit corrected drawings. Accordingly, Applicants request that the holding of abandonment be withdrawn.

In the Office Action dated July 26, 2005, the Examiner, among other things, objected to the drawings in the subject application. In response to the objection to the drawings, Applicants submitted four (4) replacement sheets of drawings with the Amendment filed on January 26, 2006 (and received in the PTO on January 30, 2006) (copies of these drawings are not being provided herewith because they are available for viewing via the PAIR system).

On April 3, 2006, the Examiner allowed the subject application. On June 29, 2006, Applicants submitted the issue fee to the PTO (and the issue fee was received in the PTO on July 5, 2006).

Addressing now the Notice of Allowability, Applicants acknowledge that Box No. 5, which specifies that corrected drawings must be submitted, is checked in the Notice of Allowability. Upon reviewing the Notice of Allowability, a member of Applicants' undersigned representative's staff contacted Examiner Gandhi regarding the requirement for corrected drawings. Examiner Gandhi acknowledged that the corrected drawings required in the Office Action were submitted with the Amendment, and stated that he checked Box No. 5 in error. He also said that it was not necessary to submit the corrected drawings again.

Upon receipt of the Notice of Abandonment, the same member of Applicants' undersigned representative's staff contacted Examiner Gandhi regarding the holding of abandonment. Examiner Gandhi said that he would look into fixing the situation at his end. In a subsequent conversation, however, Examiner Gandhi said that he should have issued a corrected Notice of Allowability, and that in the absence of any corrected Notice of Allowability he could not do anything regarding the holding of abandonment. He also said that Applicants' only option was to file a petition to have the holding of abandonment withdrawn. Accordingly, Applicants are submitting the present petition to have the holding of abandonment withdrawn.

In view of the foregoing, Applicants submit that the corrected drawings required by the Examiner were in fact submitted to the PTO, and request that the holding of abandonment be withdrawn and that the subject application be issued as a patent. In the event a telephone conversation would be helpful, the undersigned may be reached at (408) 749-6902. If any fees

Application No. 10/775,595
Petition dated October 11, 2006
Reply to Notice of Abandonment dated August 15, 2006

are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MXICP016).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

A handwritten signature in black ink, appearing to read 'Peter B. Martine', with a stylized flourish extending to the right.

Peter B. Martine
Reg. No. 32,043

710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Customer Number 25920